

OLD LANGUAGE; ~~STRIKEOUT~~

NEW LANGUAGE: DOUBLE UNDERSCORE

ORDINANCE NUMBER O-_____ (NEW SERIES)

DATE OF FINAL PASSAGE _____

AN ORDINANCE REGARDING THE REGULATION OF ROOMING HOUSES AMENDING THE SAN DIEGO MUNICIPAL CODE BY AMENDING CHAPTER 11, ARTICLE 3, DIVISION 1, BY AMENDING SECTION 113.0103; BY AMENDING CHAPTER 13, ARTICLE 1, DIVISION 1, BY AMENDING SECTION 131.0112; DIVISION 2, BY AMENDING SECTION 131.0222; DIVISION 3, BY AMENDING SECTION 131.0322; DIVISION 4, BY AMENDING SECTIONS 131.0422 AND 131.0423; DIVISION 5, BY AMENDING SECTION 131.0522; DIVISION 6, BY AMENDING SECTION 131.0622; AND, BY AMENDING CHAPTER 14, ARTICLE 2, DIVISION 5, BY AMENDING SECTION 142.0525.

§ 113.0103 Definitions

Abutting property through Roof Sign [No change in text.]

Rooming house means a dwelling unit where three or more rooms are rented individually or separately, to tenants under separate rental agreements. Housing protected by federal or state law, including housing for persons protected under the Fair Housing Act (42 USC section 3604 (f)) and the California Fair Housing Act (California Government Code section 12920 et seq.), or housing otherwise subject to the City's Separately Regulated Use regulations in Chapter 14, Article 1, shall not constitute a rooming house.

School through Yard [No change in text.]

§ 131.0112 Descriptions of Use Categories and Subcategories

(a) [No change in text.]

(1) through (2) [No change in text.]

(3) Residential Use Category

This category includes uses that provide living accommodations for one or more persons. The residential subcategories are:

(A) Rooming houses ~~Group Living Accommodations~~ —

Dwellings where rooms are rented individually or separately, resulting in multiple, independent living units where tenants do not share common access or financial responsibility for use of the dwelling unit as a whole.

~~multiple residents share living accommodations and facilities and where meals or other services are provided.~~

Pursuant to Section 127.0102(d), all previously conforming rooming houses shall be unlawful three years from the effective date of Ordinance O-2008-61.

(B) through (D) [No change in text.]

(4) through (11) [No change in text.]

(b) [No change in text.]

§ 131.0222 Use Regulations Table for Open Space Zones

[No change in text.]

Table 131-02B
Use Regulations Table of Open Space Zones

| Use Categories/Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses] | Zone Designator | | Zones | | | | |
|--|-----------------|-----|-------|-----|---------------------|---|----------------------|
| | 1st & 2nd >> | OP- | | OC- | OR ⁽¹⁾ - | | OF ⁽¹²⁾ - |
| | | 1- | 2- | 1- | 1- | | 1- |
| | | 1 | 1 | 1 | 1 | 2 | 1 |

| | | | | | |
|--|---|---|---|---|---|
| Open Space [No change in text.] | | | | | |
| Agriculture [No change in text.] | | | | | |
| Residential | | | | | |
| Group Living Accommodations | - | - | - | - | - |
| <i>Mobilehome Parks through Multiple Dwelling Units</i> [No change in text.] | | | | | |
| <u><i>Rooming House</i></u> [See Section 131.0112(a)(3)(A)] | = | = | = | = | = |
| <i>Single Dwelling Units</i> | - | - | - | P | - |
| Separately Regulated Residential Uses: | | | | | |
| <i>Boarder & Lodger Accommodations</i> | - | - | - | L | - |
| <i>Companion Units through Watchkeeper Quarters</i> [No change in text.] | | | | | |
| Institutional through Signs [No change in text.] | | | | | |

[No change in footnotes.]

§ 131.0322 Use Regulations Table for Agricultural Zones

[No change in text.]

Table 131-03B
Use Regulations Table of Agricultural Zones

| Use Categories/Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses] | Zone Designator | Zones | | | |
|---|-----------------|------------------|---|----|---|
| | 1st & 2nd >> | AG | | AR | |
| | 3rd >> | 1- | | 1- | |
| | 4th >> | 1 | 2 | 1 | 2 |
| Open Space [No change in text.] | | | | | |
| Agriculture [No change in text.] | | | | | |
| Residential | | | | | |
| Group Living Accommodations | | - | | - | |
| <i>Mobilehome Parks through Multiple Dwelling Units</i> [No change in text.] | | | | | |
| <u><i>Rooming House</i></u> [See Section 131.0112(a)(3)(A)] | | = | | = | |
| <i>Single Dwelling Units</i> | | P ⁽¹⁾ | | P | |
| Separately Regulated Residential Uses | | | | | |
| <i>Boarder & Lodger Accommodations</i> | | - | | L | |
| <i>Companion Units through Watchkeeper Quarters</i> [No change in text.] | | | | | |
| Institutional through Signs [No change in text.] | | | | | |

[No change in footnotes.]

§ 131.0422 Use Regulations Table for Residential Zones

[No change in text.]

Table 131-04B
Use Regulations Table of Residential Zones

| Use Categories/ Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses] | Zone Designator | | Zones | | | | | | | | | | | | | | | | | | | | | | | |
|---|-------------------------|--------|-------|---|---|---|---|---|---|---|---|---|---|---|----|----|-----|----|-----|---|---|---|---|---|---|--|
| | 1st & 2nd >> | RE- | RS- | | | | | | | | | | | | | | RX- | | RT- | | | | | | | |
| | | 1- | 1- | | | | | | | | | | | | | | 1- | | 1- | | | | | | | |
| | | 4th >> | 1 | 2 | 3 | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 1 | 2 | 1 | 2 | 3 | 4 | |
| Open Space | [No change in text.] | | | | | | | | | | | | | | | | | | | | | | | | | |
| Agriculture | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Agricultural Processing through Raising and Harvesting of Crops [No change in text.] | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Raising, Maintaining & Keeping of Animals | P ⁽³⁾⁽⁴⁹⁾⁽⁹⁾ | | - | | | | | | | | | | | | | | - | | - | | | | | | | |
| Separately Regulated Agricultural Uses [No change in text.] | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Residential | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Group Living Accommodations | - | | - | | | | | | | | | | | | | | - | | - | | | | | | | |
| Mobilehome Parks through Multiple Dwelling Units [No change in text.] | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Rooming House [See Section 131.0112(a)(3)(A)] | ≡ | | ≡ | | | | | | | | | | | | | | ≡ | | ≡ | | | | | | | |
| Single Dwelling Units | P | | P | | | | | | | | | | | | | | P | | P | | | | | | | |
| Separately Regulated Residential Uses | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Boarder & Lodger Accommodations | L | | L | | | | | | | | | | | | | | L | | L | | | | | | | |
| Companion Units through Watchkeeper Quarters [No change in text.] | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Institutional through Signs | [No change in text.] | | | | | | | | | | | | | | | | | | | | | | | | | |

| Use Categories/ Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses] | Zone Designator | | Zones | | | | | | | | | | | |
|---|------------------|--|------------------|---|---|------------------|---|---|------------------|---|---|------------------|----|------------------|
| | 1st & 2nd >> | | RM- | | | | | | | | | | | |
| | 3rd >> | | 1- | | | 2- | | | 3- | | | 4- | | 5- |
| | 4th >> | | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 |
| Open Space [No change in text.] | | | | | | | | | | | | | | |
| Agriculture [No change in text.] | | | | | | | | | | | | | | |
| Residential | | | | | | | | | | | | | | |
| Group Living Accommodations | P ⁽⁷⁾ | | P ⁽⁷⁾ | | | P ⁽⁷⁾ | | | P ⁽⁷⁾ | | | P ⁽⁷⁾ | | P ⁽⁷⁾ |
| Mobilehome Parks through Multiple Dwelling Units | | | | | | | | | | | | | | |

| | | | | | |
|--|---|---|---------------------|---------------------|---------------------|
| [No change in text.] | | | | | |
| <u>Rooming House</u> [See Section 131.0112(a)(3)(A)] | = | = | <u>P</u> | <u>P</u> | <u>P</u> |
| <i>Single Dwelling Units</i> | P | P | P | P | - |
| Separately Regulated Residential Uses | | | | | |
| <i>Boarder & Lodger Accommodations</i> | L | L | L | L | L |
| Companion Units through Watchkeeper Quarters [No change in text.] | | | | | |
| Institutional [No change in text.] | | | | | |
| Sales | | | | | |
| Building Supplies & Equipment [No change in text.] | | | | | |
| Food, Beverages and Groceries | - | - | P ⁽⁹⁾⁽⁸⁾ | P ⁽⁹⁾⁽⁸⁾ | P ⁽⁹⁾⁽⁸⁾ |
| Consumer Goods, Furniture, Appliances, Equipment through Pets and Pet Supplies [No change in text.] | | | | | |
| Sundries, Pharmaceuticals, & Convenience Sales | - | - | P ⁽⁹⁾⁽⁸⁾ | P ⁽⁹⁾⁽⁸⁾ | P ⁽⁹⁾⁽⁸⁾ |
| Wearing Apparel & Accessories [No change in text.] | | | | | |
| Commercial | | | | | |
| Building Services through Off-site Services [No change in text.] | | | | | |
| Personal Services | | | P ⁽⁹⁾⁽⁸⁾ | P ⁽⁹⁾⁽⁸⁾ | P ⁽⁹⁾⁽⁸⁾ |
| Assembly & Entertainment through Separately Regulated Commercial Services Uses [No change in text.] | | | | | |
| Offices | | | | | |
| Business & Professional through Government [No change in text.] | | | | | |
| Medical, Dental, & Health Practitioner | - | - | P ⁽⁸⁾⁽⁷⁾ | P ⁽⁸⁾⁽⁷⁾ | - |
| Regional & Corporate Headquarters [No change in text.] | | | | | |
| Vehicular & Vehicular Equipment Sales & Service through Signs [No change in text.] | | | | | |

Footnotes for Table 131-04B.

¹ through ⁶ [No change in text.]

~~⁷ See Section 131.0423(c).~~

⁸ ⁷ See Section 131.0423(a).

⁹ ⁸ See Section 131.0423(b).

~~¹⁰~~ ⁹ Maintaining, raising, feeding, or keeping of 10 or more domestic animals requires a *premises* of at least 5 acres. Maintaining, raising, feeding, or keeping of swine is not permitted.

§ 131.0423 Additional Use Regulations of Residential Zones

The following uses are permitted in the residential zones indicated in Table 131-04B, subject to the additional use regulations in this Section.

(a) through (b) [No change in text.]

~~(c) Group living accommodations are permitted subject to the following:~~

~~(1) Group living accommodations shall not contain more than 5 guest rooms.~~

~~(2) No more than 2 renters per guest room are permitted.~~

~~(3) Meals may be provided for renters only.~~

~~(4) Renters of guest rooms must reside on the premises for at least 7 consecutive calendar days.~~

§ 131.0522 Use Regulations Table of Commercial Zones

[No change in text.]

Table 131-05B
Use Regulations Table for Commercial Zones

| Use Categories/Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses] | Zone Designator | Zones | | | | | | | | | | |
|--|-----------------|------------------|---|---|-----|----|-----|---|------------------|---|-----|--|
| | | CN (1)- | | | CR- | | CO- | | CV- | | CP- | |
| | | 1- | | | 1- | 2- | 1- | | 1- | | 1- | |
| | | 1 | 2 | 3 | 1 | 1 | 1 | 2 | 1 | 2 | 1 | |
| | 1st & 2nd >> | | | | | | | | | | | |
| | 3rd >> | 1- | | | 1- | 2- | 1- | | 1- | | 1- | |
| | 4th >> | 1 | 2 | 3 | 1 | 1 | 1 | 2 | 1 | 2 | 1 | |
| Open Space [No change in text.] | | | | | | | | | | | | |
| Agriculture [No change in text.] | | | | | | | | | | | | |
| Residential | | | | | | | | | | | | |
| Group Living Accommodations | | - | | | - | - | - | | - | | - | |
| Mobilehome Parks through Multiple Dwelling Units [No change in text.] | | | | | | | | | | | | |
| Rooming House [See Section 131.0112(a)(3)(A)] | | P ⁽²⁾ | | | P | - | P | | P ⁽²⁾ | | - | |
| Single Dwelling Units | | - | | | - | - | - | | - | | - | |
| Separately Regulated Residential Uses | | | | | | | | | | | | |
| Boarder & Lodger Accommodations | | L ⁽²⁾ | | | L | - | L | | L ⁽²⁾ | | - | |

| | | | | | | |
|---|--|--|--|--|--|--|
| Companion Units through Watchkeeper Quarters [No change in text.] | | | | | | |
| Institutional through Signs [No change in text.] | | | | | | |

| Use Categories/Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses] | Zone Designator | Zones | | | | | | | | | | | | | | | | | |
|--|----------------------------------|-------|---|---|----|---|---|----|---|---|----|---|---|----|---|---|---|---|---|
| | | CC- | | | | | | | | | | | | | | | | | |
| | | 1- | | | 2- | | | 3- | | | 4- | | | 5- | | | | | |
| | | 1 | 2 | 3 | 1 | 2 | 3 | 4 | 5 | 1 | 2 | 3 | 4 | 5 | 1 | 2 | 3 | 4 | 5 |
| | 1st & 2nd >> 3rd >> 4th >> | | | | | | | | | | | | | | | | | | |
| Open Space | [No change in text.] | | | | | | | | | | | | | | | | | | |
| Agriculture | [No change in text.] | | | | | | | | | | | | | | | | | | |
| Residential | | | | | | | | | | | | | | | | | | | |
| Group Living Accommodations | | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| Mobilehome Parks through Multiple Dwelling Units | | | | | | | | | | | | | | | | | | | |
| Rooming House [See Section 131.0112(a)(3)(A)] | | P | | | P | | | P | | | P | | | P | | | P | | |
| Single Dwelling Units | | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| Separately Regulated Residential Uses | | | | | | | | | | | | | | | | | | | |
| Boarder & Lodger Accommodations | | L | | | L | | | L | | | L | | | L | | | L | | |
| Companion Units through Watchkeeper Quarters [No change in text.] | | | | | | | | | | | | | | | | | | | |
| Institutional through Signs | [No change in text.] | | | | | | | | | | | | | | | | | | |

[No change in footnotes.]

§ 131.0622 Use Regulations Table for Industrial Zones

[No change in text.]

Table 131-06B**Use Regulations Table for Industrial Zones**

| Use Categories/ Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses] | Zone designator | Zones | | | | | | | |
|---|-----------------|-------|----|-----|----|----|-----|----|-----|
| | 1st & 2nd >> | IP- | | IL- | | | IH- | | IS- |
| | 3rd >> | 1- | 2- | 1- | 2- | 3- | 1- | 2- | 1- |
| | 4th >> | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 |
| Open Space [No change in text.] | | | | | | | | | |
| Agriculture [No change in text.] | | | | | | | | | |
| Residential | | | | | | | | | |
| Group Living Accommodations | | - | - | - | - | - | - | - | - |
| <i>Mobilehome Parks through Multiple Dwelling Units</i> [No change in text.] | | | | | | | | | |
| <u>Rooming House</u> [See Section 131.0112(a)(3)(A)] | | ≡ | ≡ | ≡ | ≡ | ≡ | ≡ | ≡ | ≡ |
| <i>Single Dwelling Units</i> | | - | - | - | - | - | - | - | - |
| Separately Regulated Residential Uses | | | | | | | | | |
| <i>Boarder & Lodger Accommodations</i> | | - | - | - | - | - | - | - | - |
| Companion Units through Watchkeeper Quarters [No change in text.] | | - | - | - | - | - | - | - | - |
| Institutional through Signs [No change in text.] | | | | | | | | | |

[No change in footnotes.]

§ 142.0525 Multiple Dwelling Unit Residential Uses — Required Parking Ratios**Table 142-05C**

**Minimum Required Parking Spaces for
Multiple Dwelling Units and Related and Accessory Uses**

| Multiple Dwelling Unit Type and Related and Accessory Uses | Automobile Spaces Required Per Dwelling Unit (Unless Otherwise Indicated) | | | Motorcycle Spaces Required Per Dwelling Unit | Bicycle ⁽⁵⁾ Spaces Required Per Dwelling Unit |
|--|---|--|---|--|--|
| | Basic ⁽¹⁾ | Transit Area ⁽²⁾ or Very Low Income ⁽³⁾ | Parking Impact ⁽⁴⁾ | | |
| Studio up to 400 square feet through Condominium conversion [No change in text.] | | | | | |
| <u>Rooming house</u> Rooming and Boarding House | <u>1.0 per tenant</u> <i>boarder</i> | <u>0.75 per tenant</u> <i>boarder</i> | <u>1.0 per tenant</u> <i>boarder</i> | <u>0.05 per tenant</u> <i>boarder</i> | <u>0.30 per tenant</u> <i>boarder</i> |
| <u>Boarder & Lodger Accommodations</u> | <u>1.0 per two</u> <i>boarders or lodgers</i> | <u>1.0 per two</u> <i>boarders or lodgers</i> | <u>1.0 per two boarders</u> <u>or lodgers.</u> except 1.0 per <i>boarder</i> <u>or lodger in beach</u> <u>impact area</u> | = | = |
| Residential care facility through Accessory Uses [No change in text] | | | | | |

[No change in footnotes.]

(b) through (d) [No change in text.]

MG: mg
2/08/08
Or.Dept: DSD
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